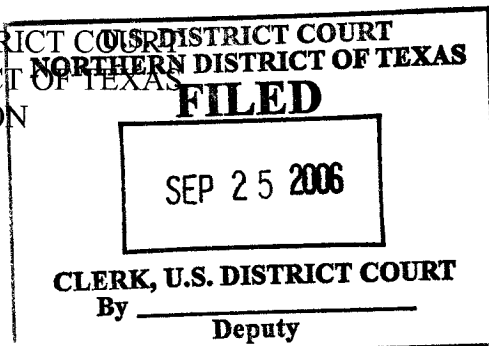


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



CARLOS WAYNE TOOMBS,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal
Justice, Institutional Division,

Respondent.

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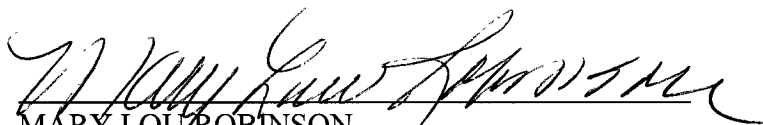
ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION and
DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Came for consideration the Petition for a Writ of Habeas Corpus by a Person in State Custody filed by petitioner. On September 11, 2006, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending petitioner's habeas application be dismissed as time barred. Petitioner filed objections to the Report and Recommendation on September 20, 2006.

The undersigned United States District Judge has made an independent examination of the record in this case. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 25th day of September 2006.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE